00651

1962/10/23

107

Office Memorandum • UNITED STATES GOVERNMENT

TO   :   The Attorney General   DATE: October 23, 1962

FROM   :   Nicholas deB. Katzenbach
           Deputy Attorney General

SUBJECT: Proclamation re Cuba

374

         Under the proclamation as presently drafted
all ships bound for Cuba, or in that general direction,
could be stopped, boarded and searched. If found to
have contraband it would be told to head for another
port or would be taken into custody if it refused to
do so.

         Ships not headed for Cuba would not be searched
and boarded, and if a ship headed for Cuba were to alter
course so as to go in a totally different direction
it would not be subject to search.

         You have inquired whether or not it would be
possible to search Russian vessels even though they
were not headed for Cuba. I think this might be ac-
complished in two ways: (1) We could search all
vessels within a prescribed zone and this zone could
be as large as reasonable. The British included all
the North Atlantic in World War II. But it would
hardly seem reasonable for the United States to create
a zone that large.   (2) I think it would be possible
to search a Russian vessel, even though it altered and
changed course, if we had evidence that it had previously
been bound on a course for Cuba. This would be justified
on the basis that the alteration of course was a ruse
and that the vessel intended to proceed nontheless to
Cuba.

         To accomplish this, however, we would have to
proceed quickly to visit and search any such vessels
before they had clearly altered their course and
maintained their new course for a sufficient length of
time to indicate a change of mind. In addition, the
order would require some minor change of phraseology
to accomplish this, and we would have to detail
presently some Naval vessels to the place where the
Cuban boats now are.

                    See Def has seen

                       OCT 2 1962

Washington National Rec. 1; Center, RG 330,

OASD (C) A File; FRC 71A2896

Misc. Papers Regarding Cuba,

20 Oct. - 25 Oct. 1962